

REMARKS/ARGUMENTS

Applicants' representative would like to thank Examiner Oh for the courteous and helpful discussion of the issues in the present application on August 31, 2010. Applicants would like to thank Examiner Oh for the indication of allowable subject matter in the present application. The above amendments and following remarks summarize and further expand on the content of the August 31 discussion.

Claims 1, 8-13, 17 and 23 are active in this application, claims 21-22 being withdrawn due to restriction by the Examiner, and claims 2-7, 14-16, and 18-20 being canceled. The claims have been amended to remove the phrase "or S-oxide", as suggested by the Examiner. No new matter has been added by this amendment.

The rejection of claims 15-16 under 35 U.S.C. 112, and the rejection of claims 14-16 under 35 U.S.C. 112 have been obviated by cancellation of those claims.

The rejection of the claims under 35 U.S.C. 112 due to the presence of the term "S-oxide", in light of the recitation of X being -S-, -SO- or -SO₂- has been obviated by the present amendment.

Applicants further request that claims 21 and 22 be rejoined. As noted during the discussion of August 31, Applicants have shown in the specification that a variety of the compounds of the present invention have inhibitory activity against β -amyloid protein. Further, the specification provides citations to various references indicating that diseases such as Alzheimer's have a causative factor related to abnormal production/secretion of β -amyloid protein. Additionally, as the Examiner has noted, Down's Syndrome also has a dementia component similar to Alzheimer's. Applicants note that the present claims 21 and 22 relate to a method for treatment of such diseases. Further, as discussed on August 31, treating a disease can cover a broad range of desired outcomes, from alleviating one or more symptoms to provide a better quality of life, all the way to curing the disease. Accordingly, the present

claims should not be interpreted to cover only a cure for Alzheimers or Downs Syndrome, but rather treatment of those diseases to provide some modicum of a better quality of life for the subject. As such, Applicants have provided adequate written description and enablement, for one of ordinary skill to practice the invention, by administration of compounds of the present invention to a subject in order to decrease or stop production of β -amyloid protein, thus improving one or more symptoms of the related disease. Accordingly, Applicants request rejoinder of method claims 21 and 22.

Applicants submit that the application is now in condition for allowance and early notification of such action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.



J. Derek Mason, Ph.D.
Attorney of Record
Registration No. 35,270

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 07/09)